

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MCKENNA DANILO BERNARDO,

Defendant.

Case No. CR20-114 JCC

ORDER REVOKING BOND AND  
DETENTION ORDER

Offenses charged:

Bond Violation

Bond Revocation:

On June 1, 2020, Defendant appeared for an initial appearance and detention hearing before the Undersigned after which Defendant was released on an appearance bond that included both standard and special conditions of release.

On August 13, 2020, Probation and Pretrial Services filed a Petition for Warrant for Defendant, alleging that Defendant violated the terms and conditions of his bond that include the following:

1 (1) A violation of the Department of Corrections supervision requirements, on or  
2 about August 12, 2020, in violation of the special condition that he comply with  
3 all other Court orders and terms of supervision.

4 (2) Use of a controlled substance, marijuana, on or about August 12, 2020, in  
5 violation of the standard condition of supervision.

6 (3) Possession of a gaming system, an Xbox One, on or about August 12, 2020, in  
7 violation of the special condition that he not use, possess, or have access to  
8 gaming systems without the prior approval of pretrial services.

9 On August 27, 2020, Defendant appeared before the Honorable Mary Alice Theiler for an  
10 arraignment and bond revocation hearing pursuant to allegations that he violated his conditions  
11 of bond. The bond revocation hearing was rescheduled and held before the Undersigned on  
12 September 11, 2020. The September 11, 2020 hearing was held via WebEx due to the exigent  
13 circumstances as outlined in General Order 13-20, with the consent of Defendant to appear  
14 telephonically. This order is without prejudice to renewing once the court has reconstituted in-  
15 person hearings. Defendant was advised of his rights in connection with the Petition for Warrant  
16 and the bond violation allegations. Defendant admitted all alleged violations.

17 Pursuant to Rules 32.1(a)(6) and 46(d) of the Federal Rules of Criminal Procedure and 18  
18 U.S.C. § 3143(a)(1), and based upon the factual findings and statement of reasons for detention  
19 stated on the record and as set forth below, the Court finds:

20 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

21 (1) On June 1, 2020, Defendant was released on bond with pretrial supervision and  
22 conditions that, *inter alia*, Defendant comply with all court terms of supervision, abstain from  
23 using controlled substances, and not possess gaming systems.

1 (2) Defendant admitted to failing to abide by the terms of his bond, as set forth in the  
2 bond violation allegations discussed above.

3 (3) There does not appear to be any condition or combination of conditions that will  
4 reasonably assure that the Defendant is not a danger to the community or to other persons.

5 IT IS THEREFORE ORDERED:

6 (1) Defendant's bond is hereby revoked;

7 (2) Defendant shall be detained pending trial, and committed to the custody of the  
8 Attorney General for confinement in a correction facility separate, to the extent  
9 practicable, from persons awaiting or serving sentences or being held in custody  
10 pending appeal;

11 (3) Defendant shall be afforded reasonable opportunity for private consultation with  
12 counsel;

13 (4) On order of a court of the United States or on request of an attorney for the  
14 government, the person in charge of the corrections facility in which Defendant is  
15 confined shall deliver the Defendant to a United States Marshal for the purpose of  
16 an appearance in connection with a court proceeding; and

17 (5) The Clerk shall direct copies of this Order to counsel for the United States, to  
18 counsel for the Defendant, to the United States Marshal, and to the United States  
19 Pretrial Services Officer.

20 Dated this 12th day of September, 2020.

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23 MICHELLE L. PETERSON  
United States Magistrate Judge